GEORGIA STATE BOARD OF PHYSICAL THERAPY MINUTES OF REGULAR MEETING July 30, 2003

A Meeting of the Georgia State Board of Physical Therapy was held on July 30, 2003 at 237 Coliseum Drive, Macon, Georgia.

The following Board members were present:

Brad Freemyer, President, Sandra Eskew Capps, Vice President: 9:40 a.m., Charlene Portee, Bernice Chaney and Andy Ellis Patricia Willis: 9:45 a.m.

Also Present: Jacqueline Hightower, Executive Director, Sandra Marshall, Application Specialist, Yvonne LeSane, Board Secretary, Robert Renjel, Assistant Attorney General, Deb Tharpe, Federation of State Boards of Physical Therapy, Stefanie Palma, Physical Therapy Association of Georgia, J.B., Applicant, Kathy Harvey, Enforcement, Jackie Turner, Enforcement

Absent: Linda Lamb, Cognizant, Morris Friedman

Mr. Freemyer established that a quorum of the Board was present and called the Board meeting to order at 9:45 a.m.

Ms. Eskew Capps moved and Ms. Chaney seconded and the Board voted to enter into Executive Session in accordance with O.C.G.A. §43-1-2(k)(1)(2) and 50-14-2(1) to deliberate on applications and to receive information on applications and to receive the Attorney General's Report. Voting in favor of the motion were those present who included Board members Freemyer, Portee, Willis, Eskew Capps, Ellis and Chaney. The Board concluded Executive Session in order to vote on these matters and to continue with the public session.

<u>MINUTES:</u> Ms. Portee moved and Ms. Eskew Capps seconded and the Board voted to approve the minutes of June 17, 2003, June 23, 2003 and July 7, 2003 as amended.

APPLICATIONS:

Ms. Chaney moved and Mr. Ellis seconded and the Board voted to approve physical therapy license applications determined to have met licensure requirements as follows:

Lic. No.	Name	Lic. Type	Status	Iss. Date	Exp. Date	Method
PT007753	Shah, Neetu A.	PT	Active	6/19/03	12/31/03	Exam
PT007754	Richardson, Leia Della	PT	Active	6/20/03	12/31/03	Exam
PT007755	Stamey, Christopher	PT	Active	6/20/03	12/31/03	Exam
PT007756	Rockdale, Alicia Jill	PT	Active	6/23/03	12/31/03	Exam
PT007757	Thelen, Suzanne M.	PT	Active	6/23/03	12/31/03	Exam
PT007758	Vought, Anne Butler	PT	Active	6/23/03	12/31/03	Exam
PT007759	Graham, Sarah Lynn	PT	Active	6/23/03	12/31/03	Exam
PT007760	Kirkland, Amy May	PT	Active	6/26/03	12/31/93	Exam
PT007761	Treby, Allison Paige	PT	Active	6/30/03	12/31/03	Exam
PT007762	Clark, Carrie Leigh	PT	Active	7/1/03	12/31/03	Exam
PT007763	Marcoux, Amie Lynn	PT	Active	7/1/03	12/31/03	Exam
PT007764	Pancake, Laura Ruth	PT	Active	7/11/03	12/31/03	Exam
PT007765	Lofgren, Susan E.	PT	Active	7/11/03	12/31/03	Exam
PT007766	Fletchter, Katie K.	PT	Active	7/11/03	12/31/03	Exam
PT007767	Siegmund, Robert W.	PT	Active	7/11/03	12/31/03	Exam
PT007768	Legnard, Mary Jordan	PT	Active	7/11/03	12/31/03	Exam
PT007769	Rayburn, Julie s.	PT	Active	7/11/03	12/31/03	Exam
PT007770	Maysilles, Malie C.	PT	Active	7/11/03	12/31/03	Exam
PT007771	Riven, Jennifer M.	PT	Active	7/21/03	12/31/03	Exam
PT007772	Cornett, Robert Lee	PT	Active	7/21/03	12/31/03	Exam
PT007773	Vaughn, Erika Renate	PT	Active	7/21/03	12/31/03	Exam
PT007774	Smith, Cicely Annette	PT	Active	7/21/03	12/31/03	Exam

PT007775	Frank, Elisabeth Anne	PT	Active	7/21/03	12/31/03	Exam
PT007776	Mendoza, Maria T.	PT	Active	7/21/03	12/31/03	Exam
PT007777	Bulow-Long, Leah Ann	PT	Active	7/21/03	12/31/03	Exam
PT007778	Novak, Leslie S.	PT	Active	7/21/03	12/31/03	Exam
PT007779	Katz, Melinda Allen	PT	Active	7/21/03	12/31/03	Exam
PT007780	Catrett, Alicia Rene	PT	Active	7/23/03	12/31/03	End
PT007781	Coate, Sean Michael	PT	Active	7/23/03	12/31/03	End
PT007782	Ethridge, Christy R.	PT	Active	7/23/03	12/31/03	End
PT007783	Hannah, Eugene L.	PT	Active	7/23/03	12/31/03	End
PT007784	Kanak, Leslie R.	PT	Active	7/23/03	12/31/03	End
PT007785	Klaehn, Andrew F.	PT	Active	7/23/03	12/31/03	End
PT007786	Seibert, Kimberly M.	PT	Active	7/23/03	12/31/03	End
PT007787	Trobaugh, Amy Marie	PT	Active	7/23/03	12/31/03	Exam
PT007788	Gaddy, Mandy Nicole	PT	Active	7/24/03	12/31/03	Exam
PT007789	Brantley, Richard T.	PT	Active	7/24/03	12/31/03	Exam
PT007790	Richardson, Carla K.	PT	Active	7/28/03	12/31/03	Exam

Ms. Chaney moved and Mr. Ellis seconded and the Board voted to approve physical therapy assistant license applications determined to have met licensure requirements as follows:

Lic. No. #	Name	Lic. Type	Status	Iss. Date	Exp. Date	Method
PTA001946	Wright, Melissa Ann	Physical Therapist Assistant	Active	6/10/03	12/31/2003	End
PTA001947	Yarberry, Heather A.	Physical Therapist Assistant	Active	6/26/03	12/31/2003	End
PTA001948	Chandler, Kimberly Ann	Physical Therapist Assistant	Active	7/11/2003	12/31/2003	Exam
PTA001949	Fitton, Kimberly Brooke	Physical Therapist Assistant	Active	7/11/2003	12/31/2003	Exam
PTA001950	Poe, Kevin Michael	Physical Therapist Assistant	Active	7/11/2003	12/31/2003	Exam
PTA001951	Jones, Aisha V	Physical Therapist Assistant	Active	7/21/2003	12/31/2003	Exam
PTA001952	Marshall, Robin Leigh	Physical Therapist Assistant	Active	7/21/2003	12/31/2003	Exam
PTA001953	Greeson, Alexander Evan	Physical Therapist Assistant	Active	7/21/2003	12/31/2003	Exam
PTA001954	Vickery, Susan Joan	Physical Therapist Assistant	Active	7/21/2003	12/31/2003	Exam
PTA001955	McClain, Sheila Marie	Physical Therapist Assistant	Active	7/21/2003	12/31/2003	Exam
PTA001956	Kiser, Kristen Nicole	Physical Therapist Assistant	Active	7/21/2003	12/31/2003	Exam
PTA001957	Dillman, Karen Elizabeth	Physical Therapist Assistant	Active	7/23/2003	12/31/2003	End
PTA001958	Grant, Jacques W	Physical Therapist Assistant	Active	7/23/2003	12/31/2003	End
PTA001959	Lynch, Teresa Marie	Physical Therapist Assistant	Active	7/23/2003	12/31/2003	End
PTA001960	Rex, Karen	Physical Therapist Assistant	Active	7/24/2003	12/31/2003	Exam
PTA001961	Hardy, Chrissy Paige	Physical Therapist Assistant	Active	7/24/2003	12/31/2003	Exam
PTA001962	Whiting, Allison Joan	Physical Therapist Assistant	Active	7/24/2003	12/31/2003	Exam
PTA001963	Estes, Christopher Shawn	Physical Therapist Assistant	Active	7/24/2003	12/31/2003	End
PTA001964	Carlton, Marcus George	Physical Therapist Assistant	Active	7/28/2003	12/31/2003	Exam

<u>Patricia Ann Concelman Balzer:</u> Request for Rule Waiver. Ms. Willis moved to deny the waiver. The motion dies for lack of a second. Ms. Willis moved and Mr. Ellis seconded and the Board voted to deny Rule Waiver for Rules 490-4-.01 and 490-2-.09(4) and approve waiver of Rule 490-2-.09(2) subject to docketing of an agreement for licensure.

<u>Carl D.C. Santos.</u>: Ms. Willis moved and Ms. Eskew Capps seconded and the Board voted to accept the letter as a request for Rule Waiver and approve the Waiver of Rule 490-2-.09. Ms. Chaney abstained.

G.R.B.: Ms. Eskew Capps moved and Mr. Ellis seconded and the Board voted to hold pending Rule Waiver application for Physical Therapy licensure by endorsement and recommend completion of 40 hours of Continuing Competency.

<u>J.D.B.:</u> After an appearance before the Board, due to denial of license, Ms. Eskew Capps moved and Ms. Chaney seconded and the board voted to reconsider denial and hold application pending rule waiver.

Physical Therapy Board Meeting

July 30, 2003

T.L.C.: defer the application for Physical Therapy licensure by endorsement.

Rebecca Anne Depietro: approve the Physical Therapy licensure by endorsement.

<u>Christie Well Dunn:</u> approve the application for Physical Therapy licensure by endorsement.

William Edison Fowler: approve the application for Physical Therapy licensure by endorsement.

<u>Kristin M. Lovett:</u> approve the application for Physical Therapy licensure by endorsement.

Michael Daniel Markee: approve the application for Physical Therapy licensure by endorsement.

Mary Tolley Rhodes: approve the application for Physical Therapy licensure by endorsement.

Lisa Jane D. St. Pierre: approve the application for Physical Therapy licensure by endorsement.

R.E.P.: deny the application for Physical Therapy Assistant licensure by examination.

K.A.B.: approve the application for Physical Therapy Assistant licensure by reinstatement pending additional information.

M.A.E.: hold pending the application for Physical Therapy Assistant licensure by reinstatement.

Ms. Eskew Capps moved and Mr. Ellis seconded and the Board voted to approve requests for traineeships determined to meet traineeship requirements as follows:

Physical Therapy Assistant:

J.A.W.: approved pending receipt of additional information.

Physical Therapy:

D.C.W.: to approve the request for Physical Therapy traineeship supervision and to sit for NPTE.

Ms. Eskew Capps moved and Mr. Ellis seconded and the Board voted to accept the recommendations of the applications committee meeting on July 18, 2003 on applications for licensure and traineeship permits as follows:

Alicia Catrett: to approve the Physical Therapy application for licensure by endorsement.

Sean Coate: to approve the Physical Therapy application for licensure by endorsement.

<u>Christy Ethridge:</u> to approve the Physical Therapy application for licensure by endorsement.

Eugene L. Hannah: to approve the Physical Therapy application for licensure by endorsement.

<u>Leslie Kanak:</u> to approve the Physical Therapy application for licensure by endorsement.

Andrew F. Klahn: to approve the Physical Therapy application for licensure by endorsement.

<u>Carla Richardson:</u> to approve the Physical Therapy application for licensure by endorsement.

<u>Kimberly Siebert:</u> to approve the Physical Therapy application for licensure by endorsement.

C.D.T.: to deny the Physical Therapy application for licensure by endorsement.

Amy Marie Trobaugh: to approve the Physical Therapy application for licensure by endorsement.

M.W.: to approve the Physical Therapy application for licensure by endorsement pending additional information.

<u>Karen Elizabeth Dillman:</u> to approve the Physical Therapy Assistant application for licensure by endorsement.

Jacques W. Grant: to approve the application for Physical Therapy Assistant licensure by endorsement.

Teresa Marie Lynch: to approve the application for Physical Therapy Assistant licensure by endorsement.

R.L.C.: to approve the request for further study for Physical Therapy licensure by examination.

Mike Difrakhsh: to accept proof of further study for Physical Therapy licensure by examination.

R.S.E.: to approve the request for further study for Physical Therapy licensure by examination.

Scott Allen Lee: to accept proof of further study for Physical Therapy licensure by examination.

R.P.: refer the application for Physical Therapy licensure by examination to the full Board.

S.R.: to deny the application for Physical Therapy licensure by examination.

Jerison Speer: to approve the request for further study for Physical Therapy licensure by examination.

A.Y.: to deny the application for Physical Therapy licensure by examination.

Ageliki Kelly Zissi: to accept proof of further study for Physical Therapy licensure by examination.

<u>C.D.K.:</u> to deny the request for further study for Physical Therapy Assistant licensure by examination.

T.A.S.: to approve the request for further study for Physical Therapy licensure by examination.

Godfrey Samuel Simms: to approve the Physical Therapy Assistant request for traineeship supervision.

<u>J.A.W.:</u> refer the application for Physical Therapy Assistant licensure by examination to the full Board.

Edward M. Courtney: to approve the Physical Therapy request for traineeship supervision.

E.A.K.: to approve the Physical Therapy application for traineeship supervision pending additional information.

<u>Fidel D. Lopez:</u> to approve the Physical Therapy application for traineeship supervision pending additional information.

<u>Chaka Monique Merritt:</u> to approve the Physical Therapy application for traineeship supervision.

C.L.M.R.: to approve the Physical Therapy application for traineeship supervision pending additional information.

Joseph Gene Willis: to approve the Physical Therapy application for traineeship supervision.

Pamela Elizabeth Stowers: to approve the Physical Therapy Assistant application for traineeship supervision.

<u>Valerie Denise Simpson:</u> to approve the Physical Therapy Assistant application for traineeship supervision.

<u>Trudy Davis Forbush:</u> to approve the application for Physical Therapy licensure by reinstatement.

James L. Aboderin: to approve the application for Physical Therapy Assistant licensure by reinstatement.

Federation of State Board of Physical Therapy & Physical Therapy Association of Georgia:

During the June 17, 2003 conference call meeting, the Board voted to invite the Federation of State Boards of Physical Therapy and the Physical Therapy Association of Georgia to discuss the Board's concern with the National Physical Therapy Examination test plan and the pass/fail rates.

Ms. Stefanie Palma, President of the Physical Therapy Association of Georgia voiced the following concerns; Ms. Deborah Tharpe from the Federation of State Boards of Physical Therapy responded to each issue:

Concern: Low return rate on job analysis survey; taking out content areas.

Response: based on outside job analysis; mobs and manipulation were separated out as far as survey; survey was repeated due to poor response rate; surveyed included graduates within the last 5 year; 2nd response was low but psychometricians verified sample size was sufficient; as a result manipulation was dropped from the blueprint.

Discussion: analysis survey should ask - were they taught "that skill" in school versus how critical is "that skill"?

Concern: Increase fee schedule for exam, what is justification for increase?

Response: - partly due to Internet cheating (Tharpe); number registering for the exam (Hightower)

Concern: Continuing competency should be determined at the state level not by FSBPT.

Response: FSBPT agrees that continuing competency should be administered as the state level; FSBPT feels that entry-level competence should be determined by individual boards, higher level by profession; problem is that complaints that come before the board don't only relate to entry level competent. One thing being discussed is some type of self- assessment or case study to be done periodically; these are only in discussion phase and would be optional for Boards use.

Concern: Past by-laws regarding leadership of FSBPT -requirement that they must be currently serving Board members.

Response: Not a by-law change; always been "current or former" Board member; 2 term limit -term = 3 years

Question (Willis): What is status of Veterinary PT?

Response: Being discussed in terms of collaborative practice; FSBPT recommends involvement with vets.

Question (Willis): concerned about FCCPT evaluation of applicants.

Response: Will be a session at next FSBPT meeting; coursework evaluation for credentials.

Comments (Tharpe): FSBPT is aware of testing center complaint; will follow up with QA visits, etc.

ATTORNEY GENERAL'S REPORT:

PT030034: Ms. Willis moved and Ms. Eskew Capps seconded and the Board voted to not accept the Private Order.

PT030042: The Board discussed options including offer of Voluntary Surrender.

<u>PT030025:</u> Ms. Willis moved and Ms. Willis seconded and the Board voted to deny the request for waiver. Offer Public Reprimand with stipulations. Ms. Eskew Capps abstained.

ENFORCEMENT:

<u>Umang H. Patel:</u> Ms. Portee moved and Ms. Willis seconded and the board voted to accept the signed Cease and Desist Order. Docket # 2003-0763.

<u>15-02-0200009/PT02200009</u>: The Board agreed to flag for audit. No further action taken, bring back to the next Board meeting.

<u>15-01-0100019/PT01100019:</u> Ms. Willis moved and Mr. Ellis seconded and the Board voted to send to the Assistant Attorney General's Office for revocation.

15-01-0100022/PT01100022: Ms. Willis moved and Mr. Ellis seconded and the Board voted to close the case.

Gil Osborn: Ms. Willis moved and Mr. Ellis seconded and the Board voted to accept the signed Cease and Desist Order and close the case. Docket # 2003-0764.

PT030029: Present back to the Full Board for discussion with the Assistant Attorney General.

<u>PT030028</u>: Sent to Enforcement to forward to Attorney General's Office. Never received. Send again.

PT030044: Bring back to the Full Board.

PT030006: Revise correspondence.

Meeting Date:

The Board agreed to hold a Board meeting on August 19, 2003.

Cognizant Report:

PT030017: Additional information requested from Enforcement.

FEDERATION OF STATE BOARDS OF PHYSICAL THERAPY 2003 ANNUAL MEETING:

Mr. Ellis moved and Ms. Chaney seconded and the Board voted to send Ms. Willis to the Federation of State Boards of Physical Therapy 2003 Annual Meeting in Kansas City, MO on October 17-20, 2003. Ms. Willis will attend as a Delegate, however, her expenses will not be paid by the State, because of budget constraints.

Mr. Ellis moved and Ms. Chaney seconded and the Board voted to inquire if the Secretary of State office would pay to send Ms. Eskew Capps as Alternate Delegate to the Federation of State Boards of Physical Therapy 2003 Annual Meeting in Kansas City, MO on October 17-20, 2003.

JURISPRUDENCE EXAMINATION:

Because Prometric and the Federation of State Boards of Physical Therapy will not offer the jurisprudence examination until October 1, 2003, Ms. Portee moved and Ms. Chaney seconded and the Board voted to rescind previous motions regarding the effective dates of the examination. The Board requested that this item be placed on the next agenda.

POLICIES:

Applications: Rule Waiver: Ms. Eskew Capps moved and Mr. Ellis seconded and the Board voted that applicants who do not have verification of active practice may apply for waiver of Rule 490-2-.09.

Applications: CAPTE Approved Graduates: Ms. Eskew Capps moved and Mr. Ellis seconded and the Board voted that Endorsement candidates must submit forty (40) hours of continued competency if they have not worked in the past two (2) years. If a waiver is submitted then the requirement is forty (40) hours within two (2) years from date of waiver and no more than six (6) months after the date of the waiver before a license can be issued.

Applications: Non CAPTE Graduates: Ms. Eskew Capps moved and Mr. Ellis seconded and the Board voted that a non CAPTE educated applicant for licensure in the State of Georgia who is not eligible for practice in their country of origin is not eligible for licensure in the State of Georgia.

ANNUAL PUBLIC MEETING:

The Board discussed the November 18, 2003, 8:00 a.m. to 5:00 p.m., Annual Public Meeting. The Capitol Education Center has been reserved but may be changed to the Archives Building due to conference room availability. Staff will advise the Board of any changes.

WORK FORCE SURVEY:

Ms. Eskew Capps moved and Ms. Portee seconded and the Board voted to appoint Andy Ellis to provide final review of the survey.

NEWSLETTER:

The Board reviewed Mr. Freemyer's Newsletter

INACTIVE RULE:

Ms. Portee moved and Ms. Eskew Capps seconded The Board moved to Post the Inactive Rule.

Ms. Willis left the meeting at 6:25 p.m.

CORRESPONDENCE:

Ms. Portee moved and Ms. Eskew Capps seconded and the Board voted to approve the June and July correspondence and to hold said correspondence until the following Monday for final approval by Mr. Freemyer.

Laurie Bland: Prescription Requirements.

The Board is unable to provide official opinions without going through an investigative process in regard to a specific case. The Board directs you to the Georgia Physical Therapy Act and specifically Code Section 43-33-18 –a. Please note that there is a requirement for consultation with an appropriate licensed practitioner of the healing arts for physical therapy treatment and no requirement for a "prescription." Please also note that there is no requirement noted for "evaluation."

Vincent Buttaci: Receiving referrals from and being employed by Chiropractor.

The Board is unable to provide official opinions without going through an investigative process in relation to a specific case. The Board directs you to the Georgia Physical Therapy Act and specifically Code Section 43-33-18 –a. and Rule 490-4-.03 that address the issue of "consultation." In regard to the employment question you are directed to Rules 490-9-02 "Principals of Conduct for Licensed Physical Therapists"

Lavon Beard: Restrictions on an unlicensed graduate of Physical Therapy school and ability to transfer Alabama license to a Georgia.

The Board directs you to the Georgia Physical Therapy Act and specifically Code Section 490-2-.09 Licensure: Endorsement. Please pay particular note to 490-2-09 3b "actively practiced in the two years immediately preceding the date of this application:"

Therese Stogner: Feldenkrais included in the Scope of Practice.

The Board is unable to provide official opinions without going through an investigative process in regard to a specific case. The Board directs you to the Georgia Physical Therapy Act and specifically Code Section 43-33-18 and Rule Section 490-9-.01 and 490-9-.02, the "Principals of Conduct for Licensed Physical Therapists". Another source that provides a prevailing standard of Physical Therapy care is the APTA's "Guide to Physical Therapist Practice."

Jane Miles: Husband (Physical Therapist) supervising wife (Physical Therapy Assistant) in Home Health Setting.

The Board is unable to provide official opinions without going through an investigative process in regard to a specific case. The Georgia Physical Therapy Act does not specifically address your question. The Board directs you to the Georgia Physical Therapy Act and specifically Rule Section 490-9-.01 and 490-9-.02, the "Principals of Conduct for Licensed Physical Therapists".

Carol Jelke: Type of "orders" that a "RPT" can receive?

The Board is unable to provide official opinions without going through an investigative process in regard to a specific case. The Georgia Physical Therapy Act does not specifically address your question. The Board directs you to the Georgia Physical Therapy Act and specifically Code Section 43-33-18 that requires "consultation with an appropriate licensed practitioner of the healing arts" and Rules 490-4-.03 that further clarify this consultation requirement. If your question is in regard to a PT receiving verbal or telephone orders for other licensed disciplines, then this would fall under the jurisdiction of that respective

State Board. The Board would also like to refer you to Code Section 43-33-3 (5) in regards to your use of "RPT." This states that "a physical therapist shall be designated by the initials 'P.T."

Melinda Grover: Continuing Competence Requirement when not currently working as a Physical Therapy Assistant.

The Board is unable to provide official opinions without going through an investigative process in regard to a specific case. The Board directs you to the Georgia Physical Therapy Act and specifically Rule Section 490-4-.01 and 490-4-.02. These sections detail the requirements for license renewal and continuing competence. Please also note the requirements if you allow your license to be revoked due to failure to renew. At this same meeting, the Board did approve the submission of a Rule change to provide for an Inactive License Status that may be an option for you in the future.

Janet Becker: Definition of work week versus patient care hours.

The Board is unable to provide official opinions without going through an investigative process in regard to a specific case. The Board directs you to the Georgia Physical Therapy Act and the Rules of Georgia State Board of Physical Therapy. You are encouraged to specifically review the following: "... is on duty" found in Rule Section 490-5-.02. If you would like further interpretation of the Georgia Physical Therapy Act, it would be advised that you seek legal advice

Mr. Freemyer requested the Board members to attend the August 19, 2003 meeting in Macon and have the applications committee review minutes prior to the meeting.

There being no further business, the meeting adjourned at 7:00 p.m.

Brad Freemyer, President	Mollie L. Fleeman, Division Director Professional Licensing Boards Division				
Recorded by Yvonne LeSane Board Secretary	Jacqueline A. Hightower, Executive Director				